CHAPTER 5

Comparative Perspectives on Civil Society Advocacy

Introduction

Throughout the 1990s and early 2000s, child welfare advocates in Uruguay worked arduously to influence policy making and defend the rights of young people. Their efforts spanned the administrations of Luis Alberto Lacalle (National Party, 1990–1995), Julio María Sanguinetti (Colorado Party, 1995–2000), and Jorge Batlle (Colorado Party, 2000–2005). Motivated by the goal of reforming the outmoded Children’s Code of 1934, CSO members interacted regularly with political leaders and organized a “broad-based mobilization and advocacy effort.”¹ According to a participant in the Civil Association SAI (Services and Actions for Childhood), “NGOs involved in children’s issues played an active role during the entire process of formulating the Code . . . We proposed some key provisions and contributed to the re-drafting of others. There was a presence in parliamentary committees and a strong lobby.”² Indeed, this presence contributed significantly to the passage of a new Code of Childhood and Adolescence (Código de la Niñez y la Adolescencia, Law no. 17.823) in 2004. By sustaining a multiyear campaign, activists influenced the formal agenda, helped shape the content of legislation, and pressured members of parliament to adopt meaningful reforms.³

Additionally, CSO members have helped usher in several other policy reforms intended to enhance the rights of children and adolescents. Their advocacy campaign in favor of a new Code should therefore be analyzed as part of a longer-term, gradual process of aligning domestic legislation with the Convention on the Rights of the Child. Uruguayan scholars have identified this process as “one of the most constructive developments in NGO-state interactions” in recent history (Pereira and Nathán 2009, 26).
These findings support the book’s arguments by underscoring civil society’s political potential. They also challenge the existing literature’s usual characterization of Uruguayan democracy, in which civil societal actors are demobilized and/or enfeebled relative to a traditionally strong state and an especially robust political society (Bastarrica, Nathán, Peregalli, and Pereira 2010; Canel 2010; Pereira and Peregalli 2011). The present chapter seeks to move beyond dichotomous approaches that construct civil society as a weak sphere vis-à-vis political parties and the state and nuance the discussion. No one disputes the importance of the country’s political institutions. Yet our understanding of Uruguayan democracy will remain limited if we continue to neglect the fact that participants in CSOs have mobilized around important causes, influenced public opinion, weighed in on policy debates, and, over time, effected change.

**Advocating for Children in Uruguay**

Diverse types of CSOs—both old and young—have been active in children’s causes within Uruguay. The Legal and Social Studies Institute of Uruguay (IELSUR), Peace and Justice Service (SERPAJ), and other human rights organizations (HROs) established during the dictatorship, for example, have promoted and defended children’s rights (Pereira and Nathán 2009). Additional groups, most notably Gurises Unidos, Vida y Educación, and El Abrojo, were founded in the late 1980s and early 1990s. Some were created following Uruguay’s ratification of the Convention in 1990. UNICEF played a key role by supporting these CSOs and encouraging them to adopt a rights-based approach (Pereira and Nathán 2009). As in Argentina and Chile, some groups involved in this issue area did not operate on the basis of the Convention’s normative framework. Nevertheless, many child welfare advocates embraced the integral protection paradigm and referred constantly to the new global rights regime in their work. Civil societal actors also exercised a monitoring role by preparing the nongovernmental reports evaluating the extent to which the Uruguayan state was complying with the Convention. Thus, the international rights regime helped domestic activists raise awareness of the problems affecting young people, promote an image of children as rights-bearing individuals, and make a variety of policy demands, discussed below (Pereira and Nathán 2009). In short, global and regional developments contributed to the revitalization and strengthening of an important segment of civil society.

Like their counterparts in Argentina and Chile, members of Uruguayan CSOs are engaged in multiple issues affecting the rights and well-being of